

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00

## Compleat If Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 10/087,167       |
| Filing Date          | March 1, 2002    |
| First Named Inventor | Pascal           |
| Examiner Name        | Not Yet Assigned |
| Group Art Unit       | 1638             |
| Attorney Docket No.  | 50018A           |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

|                        |  |
|------------------------|--|
| Deposit Account Number |  |
| Deposit Account Name   |  |

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 740      | 201          | 370      | Utility filing fee     |          |
| 106          | 330      | 206          | 165      | Design filing fee      |          |
| 107          | 510      | 207          | 255      | Plant filing fee       |          |
| 108          | 740      | 208          | 370      | Reissue filing fee     |          |
| 114          | 160      | 214          | 80       | Provisional filing fee |          |

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|  | Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--|--------------|--------------------|--------------------|--------------|----------------|----------|
|  |              |                    |                    |              |                |          |
|  |              |                    |                    | -20** =      |                |          |
|  |              |                    |                    | -3** =       |                |          |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                     |
| 102          | 84       | 202          | 42       | Independent claims in excess of 3                          |
| 104          | 280      | 204          | 140      | Multiple dependent claim, if not paid                      |
| 109          | 84       | 209          | 42       | ** Reissue independent claims over original patent         |
| 110          | 18       | 210          | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105          | 130      | 205          | 65       | Surcharge - late filing fee or oath  |          |
| 127          | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139          | 130      | 139          | 130      | Non-English specification  |          |
| 147          | 2,520    | 147          | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112          | 920*     | 112          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113          | 1,840*   | 113          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115          | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116          | 400      | 216          | 200      | Extension for reply within second month                                    |          |
| 117          | 920      | 217          | 460      | Extension for reply within third month                                     |          |
| 118          | 1,440    | 218          | 720      | Extension for reply within fourth month                                    |          |
| 128          | 1,960    | 228          | 980      | Extension for reply within fifth month                                     |          |
| 119          | 320      | 219          | 160      | Notice of Appeal   |          |
| 120          | 320      | 220          | 160      | Filing a brief in support of an appeal                                     |          |
| 121          | 280      | 221          | 140      | Request for oral hearing   |          |
| 138          | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140          | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141          | 1,280    | 241          | 640      | Petition to revive - unintentional   |          |
| 142          | 1,280    | 242          | 640      | Utility issue fee (or reissue)   |          |
| 143          | 460      | 243          | 230      | Design issue fee   |          |
| 144          | 620      | 244          | 310      | Plant issue fee  |          |
| 122          | 130      | 122          | 130      | Petitions to the Commissioner  | 130.00   |
| 123          | 50       | 123          | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126          | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581          | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146          | 740      | 246          | 370      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149          | 740      | 249          | 370      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179          | 740      | 279          | 370      | Request for Continued Examination (RCE)                                    |          |
| 169          | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00

## SUBMITTED BY

|                   |                 |                                   |         |           |              |
|-------------------|-----------------|-----------------------------------|---------|-----------|--------------|
| Name (Print/Type) | Randee Schwartz | Registration No. (Attorney/Agent) | 45,085  | Telephone | 919-765-5098 |
| Signature         |                 | Date                              | 4-30-02 |           |              |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

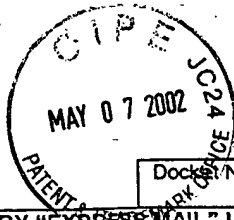
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#3A  
9-402

|  |                                     |
|--|-------------------------------------|
| Docket Number 50018A                       |                                     |
| FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10 |                                     |
| ET327549134US<br>Express Mail Label Number | October 24, 2001<br>Date of Deposit |

Address to: Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

## UTILITY PATENT APPLICATION TRANSMITTAL AND FEE SHEET

Transmitted herewith for filing under 37 CFR §1.53(b) is the utility patent application of

Applicant (or identifier): PASCAL ET AL.

Title: CONTROL OF GENE EXPRESSION IN PLANTS

Enclosed are:

1. ☒ Specification (Including Claims and Abstract) - 144 pages
2. ☐ Drawings - sheets
3. ☐ Executed Declaration and Power of Attorney (original or copy)
4. ☐ Microfiche Computer Program (appendix)
5. ☐ Nucleotide and/or Amino Acid Sequence Submission
  - ☒ Computer Readable Copy
  - ☒ Duplicate CD-R Copies
  - ☒ Statement Verifying Identity of Above Copies
6. ☐ Preliminary Amendment
7. ☐ Assignment Papers (Cover Sheet & Document(s))
8. ☐ English Translation of
9. ☐ Information Disclosure Statement
10. ☐ Certified Copy of Priority Document(s)
11. ☒ Return Receipt Postcard
12. ☒ Other: Bib Data Sheet

Filing fee calculation:

- ☐ Before calculating the filing fee, please enter the enclosed Preliminary Amendment.
- ☒ Before calculating the filing fee, please cancel claims 15-17, 30-37, 46-69, 78-101. 57

|                                       |                    |              |     |              |   |       |    |        |
|---------------------------------------|--------------------|--------------|-----|--------------|---|-------|----|--------|
| Basic Filing Fee                      |                    |              |     |              |   |       | \$ | 740    |
| Multiple Dependent Claim Fee (\$ 280) |                    |              |     |              |   |       | \$ |        |
| Foreign Language Surcharge (\$ 130)   |                    |              |     |              |   |       | \$ |        |
|                                       | For                | Number Filed |     | Number Extra |   | Rate  |    |        |
| Extra Claims                          | Total Claims       | 42           | -20 | 22           | x | \$ 18 | =  | \$ 396 |
|                                       | Independent Claims | 2            | -3  | 0            | x | \$ 84 | =  | \$ 0   |
| TOTAL FILING FEE                      |                    |              |     |              |   |       | \$ | 1136   |

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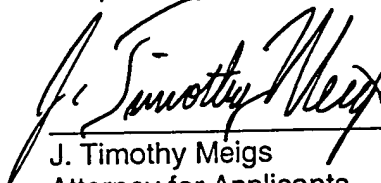
- ☒ Please charge Applicants' Credit Card in the name of Syngenta in the amount of \$1136. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.16 and §1.17 which may be required in connection with this application, to Deposit Account No. 50-1744 in the of Syngenta.

Please address all correspondence to the address associated with Customer No. 022847, which is currently:

Syngenta Biotechnology, Inc.  
Patent Department  
P.O. Box 12257  
Research Triangle Park, NC 27709-2257

Please direct all telephone calls to the undersigned at the number given below, and all telefaxes to (919) 541-8689.

Respectfully submitted,

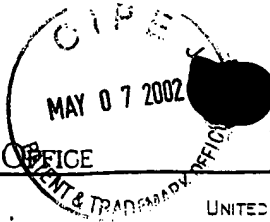


J. Timothy Meigs  
Attorney for Applicants  
Reg. No. 38,241  
Tel. No. (919) 541-8587

Date: October 24, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE



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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|--------------|-----------------|----------|------------|------------|
| 10/087,167         | 03/01/2002  | 1638         | 1136         | 50018A          |          | 42         | 2          |

CONFIRMATION NO. 4256

22847  
SYNGENTA BIOTECHNOLOGY, INC.  
PATENT DEPARTMENT  
3054 CORNWALLIS ROAD  
P.O. BOX 12257  
RESEARCH TRIANGLE PARK, NC 27709-2257

FILING RECEIPT



\*OC0000000079257C5\*

Date Mailed: 04/22/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Erica J. Pascal, San Diego, CA;  
Scott A. Valentine, Wake Forest, NC;  
Jeffrey A. Brown, Durham, NC;  
Adam S. Cockrell, Durham, NC;  
Brian D. Johnson, Cary, NC;

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Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 04/22/2002

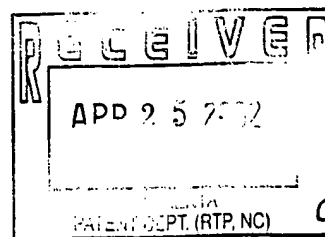
Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Control of gene expression in plants



**Preliminary Class**

800

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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